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being separated from each other by a gap];

the other of the second ends having a second [flange] bracket extending therefrom;

the second [flange] bracket being received in the [gap between the first flanges] first U-shaped bracket;

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the first and second [flanges] brackets being coupled together by a pin extending along an axis substantially perpendicular to a received guardrail, wherein the first and second members are rotatably coupled [together so as to move between a lengthened position and a shortened position]; and

the first and second members being maintained in [the lengthened] a first position by a shearable body extending between the second [flange] bracket and at least [one of the first flanges] a portion of the first U-shaped bracket.

#### REMARKS

Applicant has carefully reviewed this application in light of the Notice mailed August 15, 2000 (Paper No. 14). As requested by the Examiner, Applicant has amended Claims 28 and 32 to comply with the provisions of 37 C.F.R. 1.121 and have been made responsive to the Office Action dated February 17, 2000.

#### CONCLUSION

Applicant has now made an earnest effort to place this case in condition for examination and allowance in light of the amendments and remarks set forth above. Applicant respectfully requests reconsideration of the application and allowance of Claims 5-10, 24, 25, 28, 32, and 33 as amended.

No additional fee is believed to be due. However, the Commissioner is hereby authorized to charge any additional fees (including any extension fees) or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

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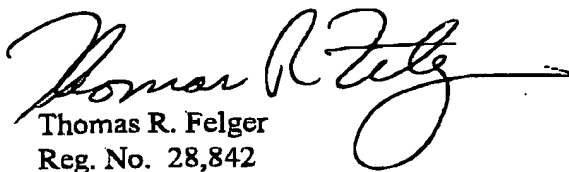
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If there are matters which can be discussed by telephone to further the prosecution of this application, Applicant respectfully requests that the Examiner call their attorney at the number listed below.

Respectfully submitted,

BAKER BOTTS L.L.P.  
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